

## **REMARKS**

### **INTRODUCTION**

Claims 9-16 were previously pending and under consideration.

Claim 10 is cancelled herein.

Claims 17 and 18 are added herein.

Therefore, claims 9 and 11-18 are now pending and under consideration.

Claims 9 and 11-16 are rejected.

Claims 9 and 11-16 are amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

### **REJECTIONS UNDER 35 USC § 112, SECOND PARAGRAPH**

In the Office Action, at page 2, claims 9, 12 and 14-16 were rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth therein. The claims have been broadened by removing the "unified manner" language, which gave rise to the § 112 rejection. Withdrawal of the rejection is respectfully requested.

### **REJECTIONS UNDER 35 USC §§ 102 AND 103**

In the Office Action, at pages 3-4, claims 9, 12 and 13 were rejected under 35 U.S.C. § 102 as anticipated by Price. At pages 5-9, claims 10 and 11 were rejected under 35 U.S.C. § 103 as being unpatentable over Price in view of Anderson. These rejections are traversed and reconsideration is requested.

Claims 9 and 14 recite a server "managing a first queue including inquiries submitted by a computer client in which telephone has been selected as the type of communication media and a second queue including the inquiries made over a telephone", and "allocating the inquiries in the second queue to said operator terminal, and when there is no entry in the second queue,

successively allocating the inquiries in the first queue to said operator terminal".

This feature was rejected with reference only to Anderson. Rather than two queues, Anderson discloses a single unified queue, which a manager may adjust as appropriate ("the incoming call is processed through a universal work queue for agents, which enables the call center system administrator to adjust the media mix of the incoming call connections", col. 2, lines 63-67). The specification and claims of Anderson refer throughout to a single unified queue. The routing rules in Figure 2 are applied when a call is de-queued for handling or answering. Neither Anderson nor Price disclose or suggest using an empty queue state, or more particularly transferring computer-made telephone-requesting inquiries to an operator terminal when the operator terminal's queue for handling telephone-made inquiries is empty.

Claim 15 recites that "telephone-made inquiries are generally allocated to the queue and where computer-made inquiries that request a telephone answer are allocated to the queue based on whether the queue is empty". Claim 16 recites that "telephone-made inquiries and non-telephone-made inquiries that require a telephone answer are both allocated to the queue, and where the telephone-made inquiries are allocated with higher priority". Non-narrowing amendments have been made to the preambles of claims 15 and 16 for increased scope and clarity.

Withdrawal of the rejection of claims 9, 14, 15, and 16 is respectfully requested.

## **DEPENDENT CLAIMS**

The dependent claims are deemed patentable due at least to their dependence from allowable independent claims. These claims are also patentable due to their recitation of independently distinguishing features. For example, claims 17 and 19 recite "allocating the inquiries in the second queue to said operator terminal when there is no entry in the second queue for a predetermined time counted by a timer, and where the first queue further comprises a waiting matrix for its inquiries". Neither cited reference discloses allocating from one queue to another after a queue is empty for a predetermined time. Withdrawal of the rejection of the dependent claims is respectfully requested.

**CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

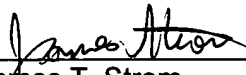
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

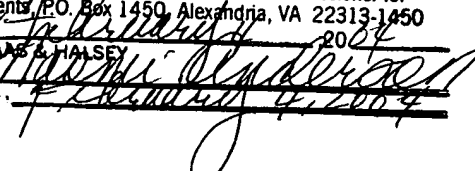
Respectfully submitted,

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**CERTIFICATE UNDER 37 CFR 1.8(a)**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 4 Feb 2004  
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